



Deval L. Patrick
Governor

The Commonwealth of Massachusetts

Department of Public Safety

One Ashburton Place, Room 1301

Boston, Massachusetts 02108-1618

Phone (617) 727-3200

Fax (617) 248-0813

TTY (617) 727-0019

www.mass.gov/dps

Andrea J. Cabral
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

Minutes

Board of Elevator Regulations

One Ashburton Place, 21st Floor

March 4, 2014, One O'clock

1. Board Members Present:

Walter Zalenski, Chair
Thomas Riley, Member
Cheri Davis, Member
Harold McGonagle, Member
David Gaudet, Member

Board Members Not Present:

Michael Nicoloro, Member
John O'Donoghue, Member
Kevin McGettigan, Member

Guests Present:

Mark DeJoie, Centerboard
Mark O'Malia, CMC Elevator Corp.
Padraic O'Regan, Deutches Atlenheim
Thomas RC Hartman, Coldham and Hartman Architects
Eric Morse, VDA
Joe Bertoni, Boston Properties
Ilan Carmi, Carmi Greb, LLC
Paul Hasbroyck, Worcester Elevator Co, Inc.
Alexis Kobey, DPS

2. The minutes from the last meeting on February 25, 2014, were reviewed by members present; **motion to approve these minutes by Walter Zalenski, seconded by David Gaudet. Motion passed by a vote of 4-0 with Cheri Davis abstaining.**

Petitions:

3. **20 New Street, Boston – 1-F-5651**
Petitioner was a "No Show"

Petitions Heard:

4. **16 City Hall Square, Lynn**
CMR 524, 35.00, 20.200.7(a)
Owner: Centerboard, Inc, 16 City Hall Square, Lynn
Petitioner: Mark DeJoie, Centerboard

The Petitioner is seeking a variance for extended travel height in the installation of a wheelchair lift at 16 City Hall Square, Lynn. Mr. DeJoie wishes to extend the travel of the lift by an extra 10", making the total travel 12' 10". Motion made by Harold McGonagle to grant the variance of allowing an extra 10" of travel height.

Motioned by: Harold McGonagle

Seconded by: David Gaudet
Vote: **4-1, Variance Granted**

5. **800 Boylston Street, Boston**

CMR 524, 35.00, A.17.1-2.15.9.2(a)

Owner: Boston Properties, 800 Boylston Street, Suite 1900, Boston

Petitioner: Mr. Joseph Bertoni, Boston Properties

The Petitioner is seeking a variance to allow a 3' 6" toe guard in lieu of the required 4' toe guard (48") because of pit depth. The current elevator is going to be decommissioned and a new unit is being installed with a 3' 6" toe guard. Motion made by Cheri Davis to grant the variance with the 3' 6" toe guard.

Motioned by: Cheri Davis

Seconded by: Harold McGonagle

Vote: **5-0, Variance Granted**

6. **2222 Centre Street, West Roxbury – 1-P-9017**

CMR 524, 17.34

Owner: Deutes Altenheim, 2222 Centre Street, West Roxbury

Petitioner: Padraic O'Regan, Deutes Altenhim

The Petitioner is seeking a variance to allow the position of the disconnect handle not be within the required maximum 18' of the lock jam side of door. The location is a nursing facility and because of the logistical issues as well as a sensitive time frame, it is not logical to move the switch within 18". Motion by Harold McGonagle to continue to allow the position of the disconnect handle to remain beyond the required maximum 18".

Motioned by: Harold McGonagle

Seconded by: Cheri Davis

Vote: **5-0, Variance Granted**

7. **155 South Pleasant Street, Amherst**

CMR 524, 35.00, 2.1.4(5)(b)

Owner: Trustees of Amherst College, c/o Peter Root, P.O. Box 500, Amherst

Petitioner: Thomas RC Harman, AIA, 49 S Pleasant Street, Suite 301, Amherst

The Petitioner is seeking relief to have the vent be 2'-0" +/- from the roof below. The requirement per the code requires 3' from the roof. This is the farthest that the vent can be raised from the roof at the location due to existing conditions. Motion by Harold McGonagle to allow the 2' vent.

Motioned by: Harold McGonagle

Seconded by: David Gaudet

Vote: **5-0, Variance Granted**

Matters not reasonably anticipated 48 hours in advance of meeting:

8. **269 Mechanic Street, Marlborough – 170-F-306**

CMR 525, 17.23.8(i)

Owner: Carmi Greb, LLC, P.O. Box 2664, Framingham

Petitioner: Ilan Carmi, Carmi Greb, LLC

The Petitioner is seeking a variance to accept the double bottom rotary design. If the double bottom cannot be accepted, the petitioner asked if the lift could be reclassified as a VRC. The owner cannot remove the unit because of significant financial hardship and because the configuration of the building. The unit was installed in the late 1940's – early 1950's and the petitioner's efforts to attempt to find the original installation

documentations has not provided any results. The Board requested that they need hard evidence that the company only produced double bottom hydraulics during that time period. Motion by Harold McGonagle to place the request on hold for 90 days to allow for more research and hard evidence to be produced by petitioner.

Motioned by: Harold McGonagle

Seconded by: David Gaudet

Vote: **5-0, Petition on hold for 90 days**

9. 583 Point Road, Marion

Owner: Michael Zinner, 538 Point Road, Marion

Petitioner: Mark O'Malia, CMC Elevator Corporation

The Petitioner is seeking a variance for relief from the height requirement in the basement for the machine room in a residence. The two level lift will be used for a wheelchair bound person. The height of the basement ceiling is 58" with a minimum requirement under code of 84". The petitioner did not provide the necessary information to make a decision on the request. The code was not cited and the Board requested that more evidence needed be provided (drawings of the outlay of the basement) before there could be a vote. Motion by Cheri Davis to place this request on hold for 30 days to allow for the petitioner to gather the proper materials.

Motioned by: Cheri Davis

Seconded by: Harold McGonagle

Vote: **5-0, Petition on hold for 30 days**

A motion was put forth to adjourn the meeting by Walter Zalenski, all in favor. Meeting adjourned at 2:25 pm.

Exhibit List:

Exhibit 1: Petition packet from 16 City Hall Square, Lynn

Exhibit 2: Petition packet from 800 Boylston Street, Boston

Exhibit 3: Petition packet from 2222 Centre Street, West Roxbury – 1-P-9017

Exhibit 4: Petition packet from 155 South Pleasant Street, Amherst

Exhibit 5: Petition packet from 269 Mechanic Street, Marlborough – 170-F-306

Exhibit 6: Petition packet from 538 Point Road, Marion

Prepared by: Alexis Kobey